

The Proceedings in the Case of Judge McCunn.

WHAT WAS DONE WITH THE \$200 FEE

THE BURDEN ON THE WARPATH.

The Judiciary Committee met yesterday, shortly after noon, in the Fifth Avenue Hotel, but did not get to work until one P. M. The committee heard the hearing of evidence in relation to different cases that had come up before Judge McCunn. The committee proceeded to examine some papers in relation to the Hanson cab suit. This case was examined pretty fully on Thursday in relation to the appointment of different receivers.

Mr. James M. Gano was put on the stand and examined in relation to the case of Corey against Gano. The witness testified in regard to the \$350 paid to counsel, and he said that it was the only fee that had been paid in the suit; the receivers in the case had been appointed by Judge Barber, in the Superior Court, and not by Judge McCunn. He said the \$350 was the only fee paid out of the estate; witness also testified in relation to the following:

BOARDING HOUSE SUIT.

Between Mrs. Elliott and Mrs. Butler, in which he had officiated as receiver. He said he had received notices in the case, and that the parties in question were tenants of Judge McCunn. He also stated that when the suit came up before Judge McCunn the latter was not aware that the parties interested were his tenants, but, being informed of the fact he had at the matter settled up immediately.

Mr. James H. Morgan was put on the stand and examined in relation to his bank account. It appears the Bar Association discovered some irregularities in the account kept by Mr. Hooley; Mr. Hooley is a cotton apool agent, who was the defendant in a suit brought by Coates & Co., of England, in the Superior Court, to put an injunction on the use of their patent right in this country. The case was brought up at Special Term before Judge McCunn; but the latter having ascertained that James F. Morgan, his brother-in-law, had received leave to act as counsel in the case for Hooley, he refused to hear the case and had it set back on the calendar to be heard before another Judge. Witness stated that at the request of Judge McCunn he returned the retaining fee of \$360 to Hooley, and Judge McCunn declined to accept the fee; the suit was afterwards tried before Judge Mitchell, of the Superior Court; witness stated that he never saw Hooley coming to see McCunn in the presence of Mr. McCarten.

The next witness in the case was the counsel in the case, John E. McGowan, who testified as to what he has received a fee of \$350 out of the estate.

Mr. H. E. Talmadge was the next witness examined. He testified that in the suit of O'Mahoney against August Belmont; the suit was brought to recover a portion of the \$200 fund which was held by Mr. Belmont; the witness testified that the orders made in the suit by Judge McCunn, which were afterwards reversed at Special Term, were all reversed by consent of counsel.

Several papers and documents were then produced in connection with the suit, and the plaintiff, Gustav Luck, it then came up in evidence that Harriman had been appointed receiver in the case, and that Mr. Belmont had designated him receiver and appointed Joseph Meeks, deputy clerk of the Superior Court, in his place. It also appeared that neither of the receivers received any money from the estate.

Mr. John E. McGowan, who had officiated in the capacity of deputy sheriff under Sheriff O'Brien, in connection with the estate of the late sheriff, who took PART IN THE MESS

with the United States Marshals for the possession of the estate, was retained by the court, and was sworn in the room, and also stated that he had received no fees in the case. Some evidence was given in regard to the suit of the late sheriff, Maryory Hicks against T. W. Bishop, in which another judge had granted an order of arrest. Application was made to Judge McCunn to set aside the order of arrest, and he refused to do so, as he said the facts produced justified the order of arrest.

Before the committee adjourned in its afternoon session, the committee decided that the only charge produced against him was in relation to the Clark and Linniger suit, and that the evidence produced in relation to the suit showed that if the Judge so wished it. Judge McCunn stated that he would rather the whole testimony was examined, and that he would like to have the matter was at perfect liberty to examine into every case that ever came up before him.

In the evening meeting, Judge McCunn, rather slack, as there appeared to be no witnesses. Mr. Clarke, the plaintiff in the suit of Clark against Linniger, was again examined, and, after corroborating the statements made by the other witnesses in relation to the suit of Judge McCunn's residence, but the Judge had returned it.

Mr. McCunn was also examined on behalf of the Bar Association in relation to the check for \$300 that had been paid to Mr. Morgan by Mr. Hooley, his counsel in the case. He testified that he was not the prosecution by stating that he was not the cashier of the firm and did not know anything about the funds of the firm, and that the matter of credit and interest was left to the treasurer of the firm, and he stated also that he knew Judge McCunn did not hear the case.

On Tuesday Judge McCunn happened to contradict the prosecuting attorney (General Harrison) in relation to some evidence, and the latter stated that he was going to take possession of the case outside the committee room. They met, however, outside, and the Judge said, "I contradicted you now, and say that what you said was not true," and the committee heard the matter of credit and interest, and the general went and took a glass of wine with the Judge.

At the close of the session closed Judge McCunn applied to the Bar Association for the address of J. B. MacDonald, whose name was signed to the charge against Judge McCunn in the organization, and they declined to give it. The Judge stated that he was entitled to the address and business of his counsel.

The committee then adjourned until to-day at ten A. M., at which time they will resume the examination of the charges against Judge Carozzo. The case against Judge Carozzo will probably not be brought up again.

AQUATICS.

The Settlement on the Harlem River.

The placid waters of the Harlem River attract many after the manner of more dune and inland bodies of water, and are used for rowing and fishing, its shores for the purpose of rowing tracks, in what are now considered first class boats. The North and East rivers will do well enough for gigs and barges and working boats, but their boats, even if they could be rowed without danger, are strained and racked by the turbulent action of the waters of these rougher streams. The Nassau Club have leased their house foot of Thirty-fourth street, North River, and have now a plan under consideration for a floating house, in three sections, to be moored on the Harlem River, where their training quarters were during the past season. The new building will be a long, narrow structure, the Argonauta Rowing Association, of Bergen Point; the Neptune Rowing Association, of Staten Island, and the New York Rowing Club, of Long Island, the several races to be for four-oared shells. The Nassau have a four-oared shell ordered from England, which they expect shortly to arrive. Mr. Edmund Willis, Jr., holds the record of captain over the season, and be assisted by Frank G. Brown, Frank Rankin and George Henry in his endeavors to break down that long over the destiny of the club last year.

A new organization, the Sappho Boat Club, are also about to start, and are planning to purchase a four-oared shell of the Narrows, and "sticks" brought upon the river are supposed to be intended for a new house for the club.

The Sappho Club, at the foot of 183d street, in the neighborhood yet in its merest infancy, bids fair to become one of importance on the Harlem, and has already secured a site for a new building, near their present quarters, a floating structure built expressly for the club. This house is convenient and commodious, and the design is to make it large, numerous and ample in size, the boys are excessively pleased with them. The boats belonging to the club are twelve in number, and are of the type of the Nanikas at this time, and their fleet will have materially increased.

It is rumored that the Athletic Club is about to put a crew of six men, under the mentorship of Harry Franks, and that they intend ordering a four-oared shell.

The Glamery Club have a new four-oared boat. The New York College Club are still under their old shelter, but will in all probability soon move up to the new station.

The Excelsior Club, formerly located on the East River, will shortly be found the e, having bought the boat house owned by Kire Lazaroff.

This exhibit is sufficient to demonstrate, as before suggested in the Herald, that there are boat clubs enough on the Harlem to organize and hold regattas. The Amateur Rowing Association. At all events, the season on this river will be a lively one; and here it may be inappropriate to suggest that all the members of all the clubs that intend to do much practicing should appear in suitable costumes in the river.

A BURGULAR COMMITTED.

Benjamin Wilson, the particulars of whose maraudous exploits appeared in our column of yesterday, was arraigned before Judge Downing, at the Tombs Police Court, yesterday morning, and was committed in default of \$500 bail.